

## **REMARKS**

The last office action has been carefully considered. A fee is enclosed for the one month extension of time.

In the last office action the Examiner rejected claims 1, 3-4, 6 and 9 under 35 U.S.C. 112, second paragraph, as being indefinite. Independent claim 1 has been amended herein and it is believed to render this rejection moot. It is therefore respectfully requested that this rejection be withdrawn.

In the last office action, the Examiner rejected claims 1, 21 and 23 under 35 U.S.C. 103 (a) as being unpatentable over Barnett (US 3,270,736) in view of Kim (US 6,369,372). The Examiner further rejected claims 3-4, 6, 10-14, 16, 18-20, 24, 26-27, and 29 under 35 U.S.C. 103 (a) as being unpatentable over Barnett in view of Kim and further in view of Glover (US 6,180,196). The Examiner also rejected claim 9 under 35 U.S.C. 103 (a) as being unpatentable over Barnett in view of Kim and further in view of Bassill et al. (US 6,630,650). Applicant respectfully traverses these prior art rejections for the following reasons.

Independent claim 1 recites in pertinent part that a decorative ceramic element is attached to one of either a front exterior surface or a top exterior surface of said microwave oven. Independent claims 10 and 14 substantially recite similar amendatory language.

In the last office action the Examiner reasoned that it would have been obvious for one skilled in the art at the time the invention was made to utilize the cooking oven of

Barnett as a microwave oven as taught by Kim in order to match a décor of a kitchen and make the appliance easy to clean and improve the electrical and thermal insulation of the microwave oven.

It is respectfully submitted that one skilled in the art would not have considered the proposed combination. The patent to Barnett discloses a built in oven addressing the concern of having an effective heat vapor deflector and providing heat insulating panel 15 so that the “the surfaces of the trim members next adjacent the surrounding wall surfaces do not become heated enough to scorch or otherwise mar such wall surfaces” (see patent to Barnett Col.1, lines 19-23 and 24-28).

The patent to Kim discloses a wall mounted microwave oven having a plurality of inlet ports allowing steam and smoke generated during cooking with a gas range to flow into the microwave oven (see patent to Kim Col. 3, lines 19-26).

Thus one skilled in the art would not have considered combining Barnett with Kim and in fact the references teachings are 180 degrees away from one another.

Further the Examiner has maintained that the heat insulating panel 15 of Barnett is a strip. The definitions of a panel and of a strip are enclosed for the Examiner’s reference and were located on dictionary.com. The two structures are different and it is respectfully submitted that the insulative panel of Barnett does not disclose or suggest a strip as recited in the claimed invention.

Further, the Examiner’s statement that it would have been obvious to one of ordinary skill in the art to have a plurality of strips of various sizes and shapes to insulate heat and to decorate by affixing onto different areas of the exterior of a microwave oven

(page 3 of office action) without citing a prior art reference is improper hindsight reconstruction of the claimed invention.

The patent to Bassill relates to a cooking service in which a ceramic surface is monitored for heating. The ceramic surface is not intended to decorate or insulate a microwave oven's exterior surface,

In view of the amendments to the claims and arguments presented herein, it is respectfully requested that the claims remaining in the present application be passed to issue.

Allowance of the claims remaining in the present application is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard B. Klar", written over a horizontal line.

Richard B. Klar

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